

REMARKS

At the time of the Office Action, claims 1-65 were pending. Claim 32 was allowed, and claim 63 was indicated as being allowable, but was objected to as being dependent on a rejected claim. Claims 1-31, 33-62, 64 and 65 were rejected.

Herein claims 1-31, 33-52, and 54-65 are cancelled, rendering the rejections thereof moot. Claims 32 and 53 are amended. Claims 66-105 are added.

Please reconsider the application in view of the amendments above, and the following remarks.

A. Objection to the Drawings

The Examiner indicated that Figure 12 should be labeled as "Prior Art." This change is made in the accompanying Request to Amend Drawings.

B. Objections to the Specification

The Examiner objected to the Abstract because of the term "comprising." The original abstract has been replaced by a substitute abstract provided above.

The Examiner also objected to the specification because of typographical errors at pages 19 and 41. The specification has been amended to correct these errors.

C. Objections to the Claims

The Examiner objected to numerous claims because of errors in antecedent basis, spelling, and the like. The objected to claims have been cancelled.

D. Rejection of Claims under 35 USC 112, ¶ 2

Certain of the claims were rejected under 35 USC 112, ¶ 2. All of the rejected claims are cancelled, except claims 53 and

54. The terms that the Examiner found indefinite in independent claim 53 have been deleted to resolve this rejection.

E. Correction of the Specification Related to Prior Applications and Request for a Corrected Filing Receipt

The specification has been amended at page 1, to properly cross-reference the single application, i.e., United States Patent Application Serial No. 09/113,783 filed July 10, 1998, now U.S. Patent 6,131,816, issued on October 17, 2000, to which the present application claims priority. As indicated by the inventor declaration filed with the present application, the inventors only claimed priority to Patent Application Serial No. 09/113,783, and not to the other applications that were listed at page 1 of the patent specification and on the application coversheet. Reference to those other applications has been deleted from page 1 of the specification. To the extent, if any, that the Examiner has limited her prior art searching based on the priority of other applications earlier than Application Serial No. 09/113,783, then such a broader search may be appropriate.

The Office issued a Filing Receipt on 10/27/2000 that included incorrect priority information, in that the Filing Receipt does not refer only to the Application Serial No. 09/113,783, but also refers to the other applications that were erroneously listed on page 1 of the specification. Accordingly, enclosed herewith is a Request for a Corrected Filing Receipt, which requests that the other applications listed in addition to the Application Serial No. 09/113,783 be deleted. It is requested that the Examiner ensure that a Corrected Filing Receipt be issued.

F. Amendments to Claims 32 and 53

Claim 32 is amended to simplify the claim. Support for amended claim 32 is found, for instance, in Figs. 1-11 and the description thereof at pages 24-36. Claim 32 is supported by the priority application, serial no. 09/113,783. No new matter is added.

Claim 53 also is amended. A first amendment deletes the term "diamond-like hardness" to resolve the rejection under 35 USC 112. Other amendments simplify and focus the claim. The "high density magnetic storage material" and the "protective layer" features of the "encodeable card" are supported, for instance, by Figs. 13-14 and the description thereof at pages 40-42. The "card reader/writer" feature is supported by Figs. 1-10 and the description thereof at pages 24-35. No new matter is added.

G. New Claims 66-107

New claims 66-107 are added. The new claims are well supported by the specification, and the original claims. Hence, no new matter is added.

Claim 66 is supported, for instance, at page 14, lines 3-4.

Claims 67-69, 77, 85, and 93 are supported, for instance, at page 28, lines 1-6.

Claim 70 is supported, for instance, at page 35, lines 13-14.

Claims 72-76, 79-84, 87-92, 94-97, and 100-105 are supported, for instance, by original claims 33-39, and by Figs. 13-14 and the description thereof at pages 40-42.

Claim 78 is supported, for instance, at page 35, lines 14-16.

Claim 86 is supported, for instance, in Fig. 11 and at page 36, line 2.

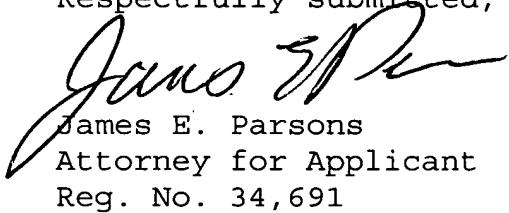
Claims 98 and 99 are supported by Figs. 1-10 and the description thereof at pages 24-35.

CONCLUSION

Claims 32, 53, and 66-105 are pending in the present Application. Allowance of these claims is respectfully requested.

If there are any questions, please telephone the undersigned at 408 451-5906 to expedite prosecution of this case.

Respectfully submitted,


James E. Parsons
Attorney for Applicant
Reg. No. 34,691

Customer No.: 022888

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date: January 21, 2004 Signature: Carrie Reddick
Name: Carrie Reddick